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WILSON, KENNA & BORYS

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Insurance Company, as successor in interest to
6 Underwriters Insurance Company
7

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10

11 NORTH AMERICAN CAPACITY) CASE NO. C 03-05521 SBA
INSURANCE COMPANY, as successor) [Assigned to the Honorable Sandra B.
12 in interest to UNDERWRITERS) Armstrong]
INSURANCE COMPANY,)

13 Plaintiff,
14

15 v.

STIPULATION AND ORDER OF
DISMISSAL PURSUANT TO FED. R.
CIV. PROC. 41(a)(1)

16 TURNER CONSTRUCTION COMPANY, a)
corporation; JAMES E. ROBERTS-)
OBAYASHI CORPORATION; WILLIAM)
17 LYON HOMES, INC., a corporation;)
DAME CONSTRUCTION CO., INC., a)
18 corporation; GONSALVES &)
SANTUCCI, d/b/a CONCO CEMENT)
19 COMPANY; EMPLOYERS INSURANCE OF)
WAUSAU, a corporation; NATIONAL)
20 UNION FIRE INSURANCE CO., a)
corporation; AMERICAN)
21 INTERNATIONAL SURPLUS LINES, a)
corporation; NATIONAL UNION FIRE)
22 INSURANCE CO., a corporation;)
ZURICH AMERICAN INSURANCE)
23 COMPANY, a corporation; AMERICAN)
INTERNATIONAL SPECIALTY LINES, a)
24 corporation; and DOES 1 THROUGH)
10, Inclusive,)

25 Defendants.
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STIPULATION AND ORDER OF DISMISSAL PURSUANT TO FED. R. CIV. PROC. 41(a)(1)(ii)

PAGE 23 RCVD AT 7/19/2005 9:35:45 AM [Pacific Daylight Time] SVR:NB-FAX020 DNS:7099 CSID:310 914 9675 DURATION (mm-ss):01-00

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1 IT IS HEREBY STIPULATED by and between Plaintiff NORTH
2 AMERICAN CAPACITY INSURANCE COMPANY ("NAC") and Defendant WILLIAM
3 LYON HOMES, INC. ("WLH") by and through their undersigned counsel
4 that the complaint of NAC, and all related causes of action,
5 against WLH are hereby dismissed with prejudice pursuant to
6 Federal Rule of Civil Procedure, Rule 41(a)(1) as a result of a
7 settlement reached between the parties, each side to bear their
8 own fees and costs herein.

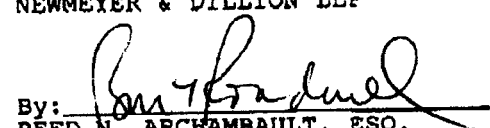
10 DATED: June 22, 2005

WILSON, KENNA & BORYS LLP

11
12 By: 
13 TIMOTHY W. KENNA
14 CARLO RAZO
15 Attorneys for Plaintiff North
16 American Casualty Insurance
17 Company, as successor in
18 interest to Underwriters
19 Insurance Company

17 DATED: July 20, 2005

NEWMEYER & DILLION LLP

18
19 By: 
20 REED N. ARCHAMBAULT, ESQ.
21 BONNIE ROADARMEL, ESQ.
22 Attorneys for Defendant William
23 Lyon Homes, Inc.

23 IT IS SO ORDERED:

24 DATED: 7/26/05

26 By: /s/ Sandra Brown Armstrong
27 Honorable Judge
28 Sandra B. Armstrong



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STIPULATION AND ORDER OF DISMISSAL PURSUANT TO FED. R. CIV. PROC. 41(a)(1)(ii)

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